

Application/Control No.: 09/412,087
Art Unit 3622
Examiner Champagne

REMARKS

Status of the Claims

Currently Amended Claim: 1

Previously Presented Claims: 2, 4, 5, and 16

Original Claims: 3, 17, and 18-20

Withdrawn Claims: 6-15

Claim Rejections under 35 U.S.C. § 102(b)

Claims 1-5 and 6-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Lemon (U.S. Pat. 4,674,041). Specifically, the Office Action states that 1) coupon transaction histories relate to electronic user profiles as claimed; 2) coupons to be displayed relate to merchant data as claimed; and 3) the display of individual coupons and their presentation based on coupon transaction histories relate to actual display characteristics that are based on display model parameters indicating user preferences and content data selected according to user preferences as claimed. Applicant respectfully submits the Lemon reference does not provide the asserted teachings and therefore, cannot support the claim rejections.

Lemon discloses a system and method for dispensing coupons to customers at a retail establishment. A display of coupons is presented to the customer and the customer is permitted to select from the display one or more coupons to be printed. A computer tracks the customer's coupon selections so that coupons which the customer

Application/Control No.: 09/412,087

Art Unit 3622

Examiner Champagne

has selected previously are not presented again within a certain period of time. Lemon explains how coupon display and selection is controlled in more than one passage.

Lemon teaches in one passage:

Upon activation, terminal T determines whether the same credit card account number has been used within the last week or other predesignated period by comparing the present credit card number with those stored in memory in microcomputer 22. If so, *microcomputer 22 permits only those coupons still available for selection by that particular customer account number to be displayed.* If, for example, the manufacturer has prescribed a one per customer limit for a coupon, and that coupon has been previously issued to the customer under the same credit account number, the coupon will not be displayed. Furthermore, even if the particular credit account number has no selection history, *if the maximum number of a particular coupon either collectively or on a store by store basis have been issued, that coupon will no longer be displayed. In this fashion, a manufacturer is provided with much more control over the maximum redemption liability than the prior art method of newspaper distribution.*

Col. 5, line 66 to Col. 6, line 11 (emphasis added).

In another passage, Lemon explains again how access to coupons is controlled.

If, on the other hand, a previous coupon transaction history is located, this data is utilized at step 116 to mask out previously selected coupons from the display if the limit of coupons per period has already been reached under this customer's account number so that requests for coupons utilizing a single account number are limited to the prescribed number of each coupon.

Col. 10, lines 33-40.

Applicant respectfully submits that the Lemon reference lacks teachings related to numerous elements of the pending claims and therefore, cannot support the claim rejections. Applicant respectfully submits that coupon transaction histories (i.e., lists of coupons selected by customers) are not electronic user profiles with navigational and personal data and that coupons to be displayed to customers are not merchant data as claimed in the present application. Applicant further respectfully submits that Lemon does not teach display model parameters, a predictive model, or actual display characteristics.

Application/Control No.: 09/412,087

Art Unit 3622

Examiner Champagne

More importantly, selection of coupons for a customer based on a customer transaction history as taught by Lemon does not relate in any way to actual display characteristics that are based on display model parameters and content that indicate monitored user preferences. Although Applicant disagrees that a display of coupons is even relevant to the present invention, Lemon simply does not teach that the coupons that are displayed to a customer relate in any way to the user's preferences. In fact, Lemon teaches a complete disregard for user preferences by ensuring that a customer who selects a coupon for a product—and therefore, expresses a preference for the product—is not permitted to receive another coupon for that product within a certain period of time.

The stated purpose of the Lemon invention is to give merchants control over the coupons that are dispensed to customers. Manufacturers are invited to participate in the system and their coupons are entered into the computer system for display to customers. The order in which the coupons are displayed on the viewing screen is rotated (Col. 7, lines 17-20) and at times, certain coupons are masked from the display so that the number of coupons that is dispensed is limited. Lemon does not teach monitoring of user preferences and does not teach actual display elements that are based on display parameters indicating user preferences. Whether the display in Lemon has any coupons of interest to a particular customer is a matter of pure coincidence. Furthermore, as coupons are eliminated from the user's options (because the only ones from which the user may select are the ones the user has not selected previously), the display is more likely to indicate the user's dislikes than the user's preferences.

Application/Control No.: 09/412,087
Art Unit 3622
Examiner Champagne

Lemon does not teach preferences to determine what content and display characteristics should be presented to a user. Lemon teaches use of a transaction history to eliminate certain coupons from a display of coupons. The word "preference" does not even appear in the Lemon reference. Additional words that do not appear in the Lemon reference include "display characteristics," "model parameters," and "predictive model." Therefore, Lemon fails to teach important aspects of the present invention and cannot support the present rejections.

Comments Regarding Claim 1

The Office Action further states that the only limitation of claim 1 that can be given patentable weight is "a display." Applicant has amended claim 1 to indicate that a database comprises electronic user profile data, merchant data, and display model parameters, that a process at a host computer determines actual display characteristics according to the electronic user profile data, merchant data, and display model parameters, and that a display with the actual display characteristics is presented on a shopper's computer in communication with the host computer that determines the actual display characteristics. Applicant respectfully submits that amended claim 1 has limitations with patentable weight and therefore, is in condition for allowance.

Application/Control No.: 09/412,087
Art Unit 3622
Examiner Champagne

Conclusion

Applicant respectfully submits that the Lemon reference does not teach aspects of the present invention related to display elements indicating user preferences and content selected according to user preferences and therefore, it cannot support the present rejections. Applicant respectfully submits that the present application is properly in condition for allowance and respectfully requests such action.

Respectfully submitted,

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